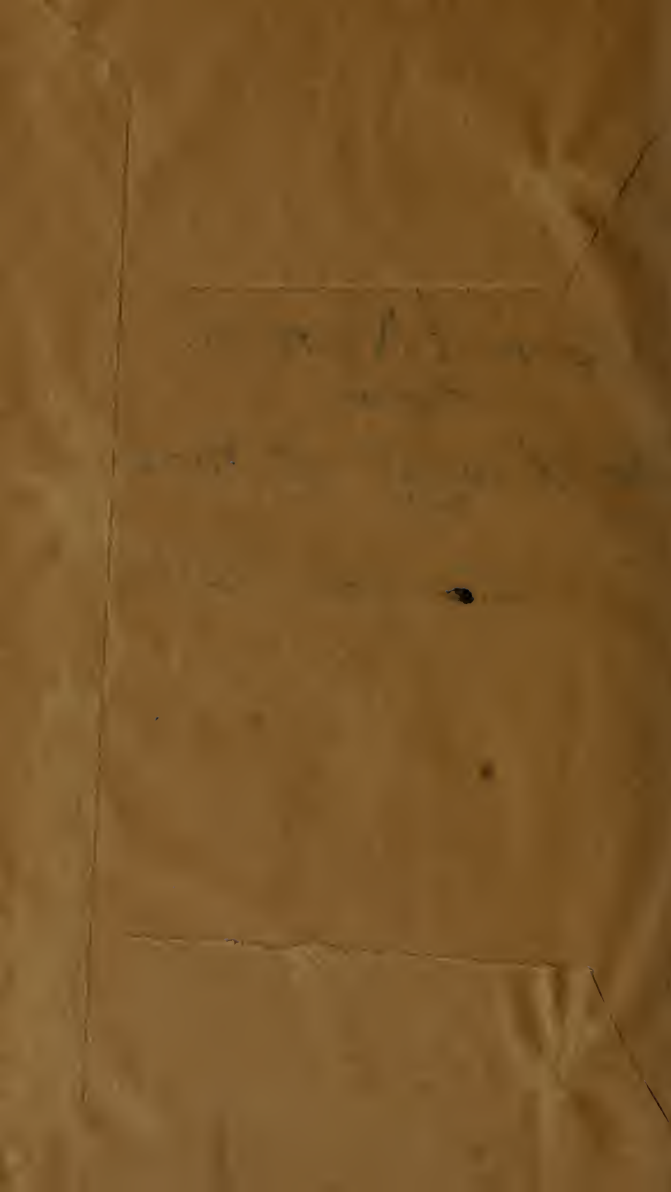


The
Official Defence
of
General Moreau.
— Before
The Tribunal at Paris
&c
London 1804.



THE
OFFICIAL DEFENCE
OF
GENERAL MOREAU
BEFORE

THE TRIBUNAL AT PARIS,

WHEREIN

THAT GENERAL'S INNOCENCE IS MOST FULLY
ESTABLISHED.

TRANSLATED FROM THE ORIGINAL FRENCH,
WHICH HAS BEEN SUPPRESSED IN FRANCE.

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TRANSLATOR'S PREFACE.

MOREAU is fully justified by his able advocates. Nothing need be added to what they have advanced in favour of him.

In publishing this work in another country, the innocence or guilt of Moreau is however of less importance than some of the facts that have come forth on the trial of that remarkable man.

It appears certain, that there are a number of men, who were once in affluence, but are now in indigence, who are attached to the cause of the family of Bourbon, and who are perpetually forming plans for its restoration; that

they deceive themselves as to their means, and they frequently deceive those who listen to them, as to their intentions.

Amongst those are some men, no doubt, of the purest honour, and most tried fidelity; but there are many others, who, under a disguise easily assumed, and with the language and professions analogous to it, begin by obtaining confidence as men of honour, and pity as the unfortunate adherents of a just cause.

Who can read the Vindication of Moreau without trembling at the determined villainy of Roland?

Who that has read the Vindication of Moreau will wonder at the accusations brought against Mr. Drake and Mr. Smith*, the repre-

* There can be no doubt that the emigrant, who obtained a note of invitation from Mr. Drake to dine with him, merely as a matter of civility, copied the handwriting, and fabricated a plot. If that gentleman condescends to vindicate himself, the trial of Moreau will certainly render the task more easy than it otherwise would be.

sentatives of his Britannic Majesty at two of the courts of Germany ?

The murder of the Duke d'Enghein is now no longer an enigma.

The tranquillity of Europe, and the safety of individuals, are in danger so long as the greatest villains can put on the disguise of the most honourable men ; and after gaining a little confidence, fabricate a plot, and become informers to obtain reward or avoid punishment.

A single note of civility, an invitation to a dinner, or a message to a third person, given by a man who is marked out by the French Government for destruction, serves in the hands of one of those intriguing impostors as a sufficient basis for an accusation.

Armed with this fabricated conspiracy, the general accuser of France makes an exaggerated report. If it is against an individual within their power, he is tried and condemned : if he is beyond their territory, but within their

reach, he is seized by stratagem or by force ; and if he is an English ambassador, he is publicly accused to all the members of the diplomatic corps.

These circumstances merit attention, and the example of Moreau may be of great utility to other individuals, and perhaps to nations. The lesson has at least the advantage of being very legible, and certainly the subject is abundantly important.

To speak plainly, many of the French emigrants, exiled from their country, ruined in fortune, and reduced to want, have turned the whole of their talents, their energy, their natural disposition for intrigue, into a general effort for reinstating themselves and their royal master, at the expence of all those who will listen to their tales. The peace of kings and kingdoms, as well as that of individuals, is with them a matter of no consideration ; but to others it is a matter of serious consideration,

that their numbers are great, their cause desperate and their efforts incessant and universal.

It is curious to observe, how a few obscure individuals, embarking in a popular cause, may mislead the Public. We cannot help, when we read the pretended meetings that never took place, and the tales fabricated, in order that Lajolais, a man of no abilities, might put a few guineas into his pocket with ease, recollecting the brilliant prospects held up here of the restoration of the House of Bourbon by General Moreau.

The horrible criminality of Roland is, however, greatly outdone by that of those who interrogated him. It is impossible to have a more complete specimen of the proceedings of what are termed courts of justice in France. It is impossible to read any thing that can give us a higher opinion of the courts of justice in England.

The trial of Moreau is of the greater importance, that it is an authentic proof of the cor-

ruption of the courts of justice in France, and of its Government, whilst it proves that the greater part of our information relative to the state of that country is undeserving of confidence or even of attention.

Pichegru certainly appears to have been deceived either by Roland or Lajolais, and probably by both, and his disappointment seems to have been extreme, when he found that Moreau would enter into none of his views. We shall say nothing of the errors that crowned heads have fallen into in the same way ; but recall to memory the false information given to the Duke of Brunswick before he invaded France—the false information that preceded the expeditions of Quiberon and the Helder. If any thing more is necessary, let the reader consult Machiavel on that important subject.

DEFENCE
OF
GENERAL MOREAU.

WHEN it was known that Moreau was arrested, and the reason assigned, the anxiety and consternation were great beyond description.

This was natural ; he was either guilty or innocent. Was he guilty? what! Moreau, that modest warrior, who was only great at the head of his army, and on the day of battle; everywhere else so simple in his manners, that his companions in arms called him the man of Plutarch; Moreau, who was always thought so free from views of personal aggrandisement; that man who never dreamt of raising himself to power at any of those revolutionary periods when,

amidst the changes of feeble governments, all France would have considered the ambition of General Moreau as an advantage; that man who, in the midst of victories, was never heard to utter a wish but for the happiness of his country ! The pleasures of private life were the only ones he longed for in addition to his glory.

That a man so full of moderation, that after having been a hero amongst heroes, should demean himself so far, as to become a traitor to the cause and the government he had so often and so long defended. The most brilliant virtue is then nothing but a continued groveling hypocrisy, since Moreau is become perfidious.

Was he innocent ? What then are we to think of a government, till now so deserving of our confidence and affection, but which all at once, deviating from that regard which it professes for individual liberty, loads with chains one of its greatest warriors;

and rewards with accusations, a general rendered sacred by the eminent services he had performed, the victories he had gained, and the civic crowns he had deserved for the armies he had saved, and the vast countries he had united to the French empire. What safety then has the common citizen, if one of the most illustrious of all let us stop. The idea is too frightful, it must be rejected, but while we reject that, we must equally give up the afflicting idea, that General Moreau can have tarnished his glory.

Moreau has not forsaken his glory: he is innocent.

The government has not forsaken its justice, but it has been alarmed; Moreau in prison will be what he always was at the head of armies, he will be the true friend of his country, seeing nothing else, and incapable of sacrificing the public weal to any personal consideration.

Just towards himself, he will not betray his cause, or abandon his defence; and just to his country, he will avow that the measures that have been taken, were in consequence of suspicions that required to be done away.

They are, or they ought to be already done away; the explanations which he has given will be published with plainness and simplicity. We do not demand mercy, we only request attention, to which we have so many claims.

For these four last months, Moreau is denounced by the report of the grand judge, by placards in the streets, by the orders of the generals to the armies they command, by the addresses of public bodies and a great number of the military.

No doubt, this zeal, though perhaps a little irregular, is a proof of its laudable attachment to government, but it does not prove, it cannot prove any thing more. Above

all, it proves nothing against the person accused. Generals are not judges. Their very situation prevents them from being able to enter into the merits of a criminal question, and to form an opinion. Neither is he judged by the ministers or their placards, or justice and independence would be no more. Neither is he judged by the addresses, vain echoes of popular accusation; the distance of place, the signatures without designation, render it impossible to attach to them any degree of authority; they shew the horror which their authors very naturally feel for a crime like that which is supposed to have taken place, but they go no way to establish the fact, of the proofs of which they must be totally ignorant.

Nevertheless those orders, those placards, and those addresses exist. They are in all the newspapers, on all the walls, and in every hand; for these four months, France has resounded with them; for these four

months, every voice that has been raised, has spoken against General Moreau; not one has been heard in his favour except that of his generous brother. As for himself, in a solitary cell, denied the access of his family, friends or counsel, he has been forced to be silent, whilst his accusers were so loud; he could not combat prejudice when it was new; he could not answer accusations one by one as they appeared, and before they had formed a mass of crimination, nor give the lie to falsities at the beginning, and before they had seduced the credulous, nor set right the tales which malignity had invented, which it is more easy to guard against than to efface, nor explain those parts of his conduct which gave rise to rash and false opinions. In a word, all have united to accuse Moreau; hitherto, no one has had the means of defending him. Such, we know, is the nature of a criminal process; but that misfortune was not the less severe

on him. Who is ignorant of the effect produced by such a reunion of voices against a man of the greatest worth, who is reduced in silence to submit, particularly after such a revolution, where so many men have betrayed the cause, that suspicion is a natural consequence?

It is then necessary to hear the defence of General Moreau with attentive recollection. He asks that justice not in the name of his victories, but in the name of his innocence. He asks it also from a consideration that ought to be dear to society; that is, the welfare and security of every individual. The example of General Moreau proves but too well one great truth. Amongst those whom Providence has condemned to live in ages of heroism at brilliant but terrible periods; when the human species, tired of long repose, rises up with a general movement, and gives itself up to great disorders; when empires are overturned, and the face of things undergoes

a change ; when thrones are erected, and others moulder into dust ; when every thing that was yesterday great and splendid is to-day in obscurity and laid low ; when, by the caprice of fortune, the most brilliant destinies become the most miserable in a moment, and finish by inspiring pity, even in the breast of an enemy. At such a moment who can say that he will not some time be in the situation of an accused person ?

Let every one look to his own situation, and a very pardonable feeling for himself will incline him to throw off the prejudice he may have conceived against General Moreau. Let every thing be forgotten but what is brought forward in the regular course of justice ; or rather let him remember them, that he may be the more determined to reject whatever comes through an irregular and illicit channel. In fine, let him come to the trial free from prejudice, and listen to the defence with that regard for

presumed innocence, and that angel-like impartiality which he will one day perhaps invoke in his own cause, after having fulfilled his duty in that of other men.

The advocates of General Moreau have not sufficient time to recount the circumstances of his public life. They are known to France and to Europe. It will then be sufficient to advert to circumstances which are more or less connected with the accusation.

Having arrived at the rank of general of brigade, Moreau served in that quality in the army of the North with 25,000 men under his command, when, in the year 2, Pichegru took the chief command. General Moreau never knew Pichegru till then, and was not educated by him, as has been stated in some pamphlets. He, however, soon conceived a great esteem for the talents of that general, then one of the best in Europe; and to this esteem was added personal

attachment. But that connection was not of long duration; for in the year 3 Pichegru was, at the end of eight months, removed to the army of the Rhine, and Moreau succeeded in that of the North.

Peace with Prussia having given him some months repose in Holland, and Pichegru being called to the directory in the year 4, Moreau succeeded him on the Rhine. He took the command on the 1st Messidor of the year 4; and on the 6th he passed the Rhine. No Frenchman can have forgot how, under his command, that army marched from victory to victory. All must remember the battles of Renchen and Friedberg, which made him master of Suabia, Bavaria, and the circles of the Upper Rhine. The defeat of the army of the Sambre and the Meuse, which quitted him at a hundred leagues distance from France, in the centre of Germany, when surrounded by two great armies of the enemy, only

served to add to his glory. All Europe thought him lost, and France already deplored the loss of a valiant army, and of a general whom that campaign had placed in the rank of great commanders.

But Moreau was with the French army. He performed that skilful retreat which produced more than glory. He saved the lives of men who were besides brave, and belonged to France. After having at Bibe-nach defeated the enemy that followed him, he passed with great slaughter through the army that had the foolish temerity to intercept his retreat ; and on the 5th Brumaire, passing the Rhine at Huningue and Brisack, he brought with him about 7000 prisoners taken from the enemy, 40 pieces of cannon, and standards; and what was still a better service, the army returned without much loss from the heart of Germany, whence it was scarcely ever expected to return.

The campaign of the year 5 was not less

brilliant. It begun with a second passage of the Rhine by the French army at Diersheim, on the first Floreal. The defeat of the enemy was complete, and 4000 men, with a general, were made prisoners, and 20 pieces of cannon, the military chest, and a number of standards, fell also into his hands. Next day Khel was taken, after a siege of more than forty hours of the most obstinate resistance. Such were the effects of that passage, that no obstacle remained to overrunning the whole of Germany. But during this time the conqueror of Arcole and of Rivoli did better than conquer : he made the terror of his name and his arms prepare the way for peace. The preliminaries of Leoben were signed, and the army of the Rhine and the Moselle stopped its career of glory.

In passing the Rhine, the waggon of General Klinglin had been taken, containing a quantity of papers; and amongst the rest a voluminous correspondence in cyphers,

which were brought to Moreau. Dessaix was then sick, and was employed by Moreau to decypher that correspondence. It was long and difficult, and required much time to comprehend but imperfectly the meaning. It appeared to General Moreau and the officers employed in that business, that Pichegru had in the year 4 carried on a correspondence with the French princes.

It was then the year 5; and no uneasiness was caused by a correspondence that only related to the army, and its situation, so long before under Pichegru.

Pichegru had left that army a year, and now indeed did not command any army. It is true he was become a member of the assembly of Five Hundred, but in that situation he had none of the means in his power which seemed to be the foundation of the correspondence. All the spies that were taken were tried and punished without noise,

and Moreau never even thought of making a merit of doing that part of his duty.

All the projects, more or less real, had been so disconcerted by the loyalty of the general; and the army, notwithstanding the arts used, was animated with so faithful a spirit, that it was precisely at that time that the brilliant campaign was made into the heart of Germany; and such was the terror it inspired, that, after the second passage of the Rhine, in the year 5, Moreau would have forced the Emperor to peace, if Bonaparte had not already dictated one in Italy.

Such were the acts of Moreau and his army; of that same army, on which a year before a few intriguers had formed plans, the only characteristics of which were illusion and folly. Perhaps the general, so faithful to his trust, who had so nobly destroyed all these chimerical plots, may be

allowed to have despised projects that were overturned nearly as soon as conceived, and to content himself with avenging his army by its triumphs, for those ill-grounded suspicions which had been entertained of its fidelity, instead of denouncing an old comrade and friend without any utility to the state : a man, indeed, who had done wrong, but who was no longer to be feared, as he had no longer any means left to execute his bad intentions.

Moreau did not write immediately to the Directory about Pichegru ; and, since it is necessary to say so, he never would have done it had not the correspondence of Klinglin begun to become public towards the end of the year 5. After the decyphering of the papers, it had got into several hands, and General Moreau knew that it was talked of pretty publicly. Two officers told him, that it would be necessary either to give an account of that correspondence to the Di-

rectory, or to be himself comprehended in the denunciation, which others would not longer delay making.

General Moreau then, forced by necessity, decided on writing, the 17th Fructidor, to the Director Barthelemy, to inform him of this secret, which was no longer one in the army, and which very soon would have been public everywhere. He consulted the Director on that difficult affair, and, in the letter, he did not conceal the repugnance with which he made the communication. "You know me enough," said he to Barthelemy, "to believe how much it must cost me."

The act of accusation against Moreau dated that letter the 19th Fructidor. An ill-formed figure may have caused the mistake, but it was really on the 17th; that, however, is of little importance.

The act of accusation says, that he did not write that letter on the 19th, sponta-

neously but in consequence of learning by the telegraph, on the 18th, the measures that had been taken by the Directory. That, however, is an error, and is not the only one committed in the act. It is nevertheless necessary, in such a case, to ascertain facts with great precision.

The fact is, that on Fructidor, in the year 5, there was no telegraph to communicate with the army of the Rhine at Strasburg. It was established on that line in the month of Brumaire, the year 6. Besides, another proof that Moreau did not know the events of the 18th when he wrote, is, that his letter was addressed to Barthelemy, one of the proscribed Directors.

The letter was given to the Executive Directory, and it was well known that Moreau had not acted spontaneously in discovering the plot; he was presently recalled, and returned to his family.

Such is the history of that denunciation,

which has been so much spoken of as the cause of perpetual hatred between Moreau and Pichegru. It is easy to see that the least spark of justice in Pichegru ought to make him very indulgent on that subject; the denunciation was so long retarded by the remembrance of ancient friendship, and only took place at last when it became unavoidable. Nevertheless Pichegru was transported to Cayenne, from which he escaped to Europe. Moreau had no longer any connexion with him, nor indeed did he ever hear of him till the year 10.

Moreau's conduct, during that interval, has been open to all France. In the year 7 we saw him, when the false impressions of the year 5 were worn off, accept, by order of the Directory, an inferior command in the army of Italy. We have seen that man, who is this day accused of ambition, accept of a command under Scherer without a murmur, and, after the misfortunes of that ge-

neral, only take a temporary command, to retrieve his losses and save the army. With 25,000 he made head against 100,000, and drew off his army at a slow march, and without a check, through the Milanese and Piedmont, putting garrisons into all the fortresses. He beat the Russians at Valence, and, rendering all their superiority of numbers useless by his able manœuvres, concentrated his forces in the Genoese territory, where he awaited the arrival of Macdonald, and inaugurated the field of Marengo by a victory obtained over General Belgarde. After so many wonders, to resign the command of that army which he had preserved, to General Joubert, who shed tears on seeing the admirable order that had been established, and the noble and modest simplicity with which he resigned to him the chief command. Joubert could not help giving him marks publicly of veneration and regard. He assisted, at the invitation of that succes-

sor, without any command, merely as an *amateur*, as he jocularly said, at the too celebrated and unfortunate battle of Novi, where the brave and unfortunate Joubert was killed. Moreau there fought like a common soldier, had three horses killed under him, and performed prodigies of valour, to retard a defeat which he had predicted. He then accepted the dangerous honour of accepting the command of a beaten army, given to him by general acclamation, and soon rendered it so formidable to the enemy that they dared not to attack him. He kept strong positions in Italy, and retrieved the disasters of Joubert, till he was succeeded by General Championet, to whom he resigned the command: thus, with infantine docility, taking and resigning the chief command at the will or caprice of those whom he acknowledged as his masters, although he was at the head of an army devoted to him, and endeared to all by his great services and abilities.

Such was Moreau, in Vendemiaire in the year 8. Moreau, whom the act of accusation represents as a suspicious person, and an accomplice of Pichegru in the year 4. We see in what manner he has betrayed the interests of his country.

At the beginning of the year 8 he returned to Paris, where he found a member of the Directory in great consternation at the weakness of the government ; a feebleness arising from its nature, and which would have rendered useless the greatest talents in the universe. That Director was convinced that France was lost if a more vigorous executive power was not immediately organized, and one where there should be more unity of action, which alone was fit to govern a great empire.

This he said to Moreau, and Moreau agreed with him. But who was the man sufficiently able and determined to seize the helm under such circumstances, and to raise

France to that glorious situation to which she has since then been elevated ?

The vacillating, uncertain politics of the directory had sent off the principal support of the state to Egypt, from whence the fleets of England, that covered the Mediterranean, seemed to forbid his return.—Moreau had but to say the word to have obtained supreme power ; Moreau will avow the fact ; and had he thought that he could have saved the republic he would have done it without hesitation or delay. But, in reflecting on his own powers, he did not think himself the man whom Providence had destined for the saviour of France.

Far, however, be from Moreau false modesty or vain affectation. Moreau did not do himself injustice, neither has he sinned against any other person : let him be permitted, and he will confess that he felt himself unequal, and unfitted for the task. There is a place assigned to him in the order

of things which he thinks himself not unworthy to fill ; the field of battle in the day of danger, when the chief of the state shall deign to call him forth. Every other has staggered his courage. The weight of business frightens him. That self-denial ; that privation of all comforts of private life ; that continual exertion of the mind on public affairs, which is the first and most indispensable duty of those who, in accepting the supreme magistracy, cannot find an excuse of having the misfortune of being born to it ; the incessant fatigue necessary in governing from morning to night, and and from night to morning, if one will by their conduct justify their acceptance of a place which they might have refused ; that strength of mind which is necessary to support the weight of a great nation, and that decided firmness which is required to govern after the storms of a revolution of such long duration ; to keep under all the

passions, all the men, and all the parties. That rare discernment which is necessary for avoiding all the dangers that surround a young and a rising state ; the discretion to know when to follow, and when to oppose public opinion ; to know whom to employ usefully, and chuse servants even amongst malcontents and enemies. That genius, in a word, which sees all, regulates all, and provides for all ; which in the same instant regulates the whole and its minute parts ; and which occupies itself at once on dangers without and improvements within ; on men and on things, the prosperity of individuals, and the safety of the state. Such a precious assemblage of great qualifications some years ago would have appeared to us impossible, and Moreau will not blush to say that he did not feel himself possessed of them. Drawn by an irresistible propensity to the ease of domestic life, he thought, that after having paid his debt to his country, he might

sacrifice the rest of his life to his personal enjoyment, and return to the ploughshare after handling the sword of the warrior. Such were his desires and propensities. Let us judge then if he was likely to be eager to embrace the opportunity offered to him by the director.

They reasoned together on the necessity of establishing a stronger and more firm government, and of the difficulty of finding at that time in France a man fit for so arduous a task, when suddenly they learnt that, by a miracle almost incomprehensible, General Bonaparte was debarked at Frejus. In an instant Moreau draws the Director apart, and says to him, " Let all rest till the arrival of General Bonaparte, he is the man that is necessary to France."

The rest is known. Bonaparte arrives. The director speaks to him. He calls Moreau, and the 18th Brumaire shines forth.

Moreau marches to the Directory, and it is dissolved. Bonaparte is proclaimed Consul.

The Consul orders Moreau to command the army of the Rhine, and Moreau goes. He organizes the army, and on the 5th Floreal, in the year 8, passes the river Rhine for the third time with his army. On the 13th and 14th of the same month he beats Kray at Engen, with the loss of 7000 prisoners, 90 pieces of cannon, and considerable stores. On the 15th he gains the battle of Mæskirch. On the 19th he gains a second battle at Biberach, on the same plain where three years before he had gained a former one. He sends a body of 22,000 men to the army of Italy, which, under the command of the greatest of all the French Generals, was about to decide the fate of France, and of all Europe. He did not for that abate in his career of victory. He passed the Danube, subdued Augsburg, and

on the plains of Kochstel washed away the disgrace which on that spot French bravery formerly received. There he made 5000 prisoners, took 5 standards, 20 pieces of cannon, and immense magazines of stores. He continued his victorious march, and Newbourg and Laudshutt furnish new laurels to his soldiers. Munich opens its gates ; the Grison country is occupied ; Coire is taken ; and the army of the Rhine arrives, as if to witness and applaud the almost supernatural victory by which the brave army of Italy, under the conduct of that illustrious chief who plays with difficulties and danger, reconquered for France her lasting superiority, and the peace of Europe. A treaty was granted by that army at the same time that Moreau by an armistice gave breath to the exhausted empire of Germany. Soon that momentary tranquillity is at an end. Moreau receives the order to march, and he commences hostilities. The battle of Hoh-

enlinden acknowledges his presence; the battle of Hohenlinden, where French bravery achieved one of its most brilliant victories, after the miracles of Italy, and the immortal glory of Marengo; the battle of Hohenlinden, by which the army of Moreau gained 10,000 prisoners, amongst whom were three generals, besides 80 cannons, and 200 waggons with ammunition.

The frontiers of Austria are invaded; Salzburg receives a French garrison; and Vienna, from which the French army was only a few days march, was in the utmost consternation. An armistice was solicited, and the terms prescribed by the conqueror agreed upon; peace was signed, and the destiny of France fixed once more.

Moreau returned to his family, when the enemies of the public weal, whatever their designs might be, endeavoured to give a bad impression to the chief of the state, of one of those who had the most sincerely

wished for its prosperity. Goodwill becomes extinct; Moreau makes some efforts, but in vain, to regain it. He then lives retired with his family, and breaks off all those brilliant connections which are not suited to a private life. He no longer keeps up a connection with any public men, or even with his old companions. He even in some degree suppressed his attachment and his remembrances, not certainly because he was insensible to them, but that he might furnish no cause for uneasiness. A few friends, almost all private men like himself, composed the circle of his acquaintance.

The pleasures of a country life, of the chase, and of the theatre, but above all, those of his family, were his amusement and occupation. It was thus that he had waited with patience and confidence till the cloud of prejudice should be dissipated, and till some happy occasion should offer of proving by his services, or by his attach-

ment to the chief of the state, that he had never ceased to honour his glory, and wish for his success.

That life so tranquil, of which nothing interrupted the harmony, was in a single moment destroyed by a circumstance which came to awaken remembrances nearly effaced.

General Moreau had at one time been much acquainted with an ancient curate of Pompadour, a man of some genius, uncle to General Souhem, of the name of David. This M. David, in 1793, when the clergy were persecuted, took refuge in the army of his nephew. General Moreau has served the republic ; but one may be permitted to say, what no man will deny, that he always held in abhorrence the persecutions committed by the pretended republicans. Whoever was a Frenchman, and conducted himself well, had his protection ; and when he was powerful David was unfortunate,

and he protected David. That M. David, his nephew Souhem, and Moreau lived all together with Pichegru, since which time all those persons saw each other with the pleasure that is usual to feel, on seeing those with whom one has been in times of adversity.

General Moreau had heard nothing of him since the banishment of Pichegru till the year 10, when David wished him to give him a meeting. It was respecting what he termed the denunciation of Pichegru ; Moreau satisfied him, and that in such a manner, that he became the mediator between him and Pichegru, and effected a complete reconciliation ; a reconciliation which cannot be much wondered at, after the development of the circumstances which attended and brought about the very innocent letter of the 17th Fructidor.

Whatever that reconciliation might be, (the details of which belong to the answers

to the different acts of accusation, amongst which it figures as a crime) General Moreau learnt with great surprise, on the beginning of last Pluviose, by General Lajolais, the friend of Pichegru, whom Moreau had occasion sometimes to see last summer, that Pichegru was at Paris. Lajolais even pressed Moreau to meet Pichegru somewhere, not at home, and proposed several places where Pichegru might speak to him on business. General Moreau thought the arrival of Pichegru at Paris, without the authority of Government, was very unwise, and constantly refused to give him any meeting.

Pichegru decided what was to be done, and, resolved at all events to see Moreau, ventured to come to his house on the 11th Pluviose, at eight in the evening.

It was a badly chosen day for Pichegru, who, having come to France without passports and without authority, ought to have

been careful not to be seen; but the 11th was the day of the week when Moreau was accustomed to see his friends.

Moreau, after some moments of a very unmeaning interview, begged him to go, and he departed.

A few days after, a second visit of Pichegru took place, equally unexpected, after which Pichegru never returned more.

There finished his personal intercourse with Moreau, who heard no more of him, except what will be explained in the answers to the accusation on the following day by one Roland.

These are the visits. The words which were supposed to have been spoken from Pichegru to Moreau, and Moreau to Pichegru, and which nobody heard, are become matter for an accusation against Moreau.

It has been said that Pichegru has long meditated the re-establishment of the House of Bourbon. He conspired in their favour

in the year 4, and from that time Moreau, either on account of his sparing Pichegru, or because of the delay of denouncing him, incurred serious suspicion.

Since then, say they, by the intermeditation of David and Lajolais, Moreau is firmly reconciled to Pichegru, and has been connected with him. That reconciliation and connection, after the previous conduct of Moreau, were incompatible with the laws of honour. They were then criminal, and could only tend to trouble the state.

In fact, reports were spread in London, that Moreau had promised to re-establish the Princes of the House of Bourbon.

It is in consequence of this promise, that Pichegru comes to Paris with other royalists, and sees Moreau.

Those interviews could not but be criminal ; besides, he had made offers to Moreau for the House of Bourbon, which Moreau indeed rejected ; but which in reject-

ing, he proposed to put himself at the head of the party of Pichegru and the royalists, after they should have assassinated the First Consul, on condition that he should be made dictator, and that public opinion should be their guide.

At all events Moreau would at least be culpable, though he had refused to take any part in the conspiracy of Pichegru, for not having denounced him to Government.

The charges are as follows :

1st, Possibility of being an old accomplice of Pichegru.

2d. Reconciliation and culpable connection with Pichegru.

3d. Engagement taken by Moreau to re-establish the Princes of the House of Bourbon ; engagement attested by hearsay and rumour spread in London.

4th. Interviews in Paris, and offers rejected, but replaced by contre-propositions,

having in view the overturning the government of the First Consul.

5th and last. Silence with respect to the stay of Pichegru at Paris, and his projects.

Such are the crimes of which Moreau is accused, and against which he is called upon for his defence.

FIRST COUNT.

Implicated in the year 4 with Pichegru.

This ought not to appear in the trial. What does it signify, in the year 12, to the Consular Government, and particularly to the Imperial Government, whether there was or was not a real or supposed conspiracy in the year 4 to overturn the frail and feeble constitution of the year 3, which the 18th Brumaire reduced to dust, so happily, and with the unanimous applause of all France?

And where should we all be, if the Government under which we at length repose, after so many storms, espousing the cause of all the ephemeral governments which are past, should demand of us a rigorous account of all we have been doing during fifteen years—of all that we have done for or against the old royalty of 1788, or the constitutional royalty of 1791 : for or against the revolutionary government of 1793 : for or against the conventional government of the year 3 ; for or against the directories of Vendemiaire, Prairial, and Fructidor, which so rapidly overturned each other ?

On the 18th Brumaire, France rose out of chaos. From that epoch we may date her creation. Every thing that preceded it was in the night of time, and the public interest and repose, to which all should yield, forbid us to inquire of any one what he has thought or done respecting those ephemeral governments, all of which were

at last condemned in the lump on the 18th Brumaire by the national will.

It is then truly ridiculous to search for what Moreau did before the 18th Brumaire against the directors. If at that time he was guilty towards them, he has been infinitely more so since; for it was he who marched, on the 18th Brumaire, to the Luxembourg, and paralysed their feeble authority, while at St. Cloud, a new government was rising up, which France was calling out for with the most ardent desire.

That pretended crime of Moreau in the year 4 against the Directory ought not then to be found in the act of accusation. One would think that it was only inserted to awaken for a moment the malevolent sentiment which his letter of the 17th Fructidor inspired, of which the motives were not known; sentiments which his glory, his victories, and reflection, have entirely dissipated.

That is not an accusation. Truly speaking there is no justification necessary to that article.

Nevertheless General Moreau ought to embrace with pleasure the opportunity of explaining to the whole nation the part which he took on the 18th Fructidor.

It appears too true that Pichegru had correspondences, in the year 4, with the royalist army, and the Prince of Condé. The plan seems to have been to acknowledge Louis XVIII. to make him be declared by the army of the Rhine, to mount the white cockade, and deliver up some fortresses.

But Pichegru and the Prince did not agree on many of the articles, particularly on the question whether the right or the left bank of the Rhine should be the theatre of their movements, as well as concerning a general amnesty, and the confirmation of the sale of national lands, which Pichegru

required, and which the others would not grant.

This is the general contents of the papers of Offenbourg: whatever those papers may, however, say relative to Pichegru, that ought not to extend to Moreau; and it is great injustice in the act of accusation to implicate him. The name of Moreau is scarcely mentioned, and, when it is, it seems to signify that he was not of Pichegru's opinion, or he is named merely in recounting events; but there is not a single word from which it can be inferred that he was even consulted in the business. The Attorney-general has given no proofs, and he will never quote any thing to support that opinion.

By what means could that magistrate then attempt to implicate Moreau in that plot, when there is not a single appearance to warrant him in so doing?

It was precisely at that time that Moreau

took the command of the army to lead it, during a whole year, from victory to victory, into the heart of Germany, and to *crown all his treasons in so novel a way*, by a scientific retreat, which is the admiration even of strangers, and of the oldest generals.

He was then the accomplice of Pichegru! Surely, in that case, it would have been very easy for that *fortunate criminal* to consummate his guilt without even reproach. He had only to let fortune take her course. He alone, in the heart of Germany, was sufficient to ruin the French army, cooped up, in an unknown country, between two armies more powerful than itself. He had only to restrain an effort of genius, which nobody thought possible. His army would have perished, his treason succeeded, and the traitor might have had the art still to cover his perfidy under exploits sufficiently brilliant to procure him honour and commemoration.

Away then with that ridiculous accusation, which belies the voice of all Europe, and from which national gratitude should have ever protected General Moreau.

But at least, says the act of accusation, he was too long in revealing the plots of Pichegru,

1st. The papers that were seized discovered nothing till they were decyphered, which was a long operation. No one was named, and the descriptions were so vague, that those who were really implicated, when put upon their trials, were acquitted; and that Pichegru might have been so himself, if, instead of being banished, he had been sent before the tribunals.

2d. That conspiracy was to have broke out in the year 4, and this was at the end of the year 5. General Moreau commanded the army; he was master of every thing; he watched over those suspected; he had arrested the ill-intentioned; he had judged

and punished spies. Every thing had failed; the schemes were broken and disconnected, so as never to be recommenced. Victories over the enemy were better than any accusation for corrupting the army by means of its chief.

3d. That denunciation, useless in itself, would have been directed against Pichegru, the ancient general, and since then the friend of Moreau, and could only have served to make him be sent a few days earlier to Cayenne. But the projects begun in the year 4 with the Prince of Condé, and the overturn of the government by the army, had no connection with what passed in Paris in the year 5, and with all those contemptible cabals in the interior councils, which the breath of the Directory, feeble as it was, might have reduced to nothing.

4th and last. As a proof that General Moreau conducted himself well on that occasion, the opinion of the public, unac-

quainted with the secret circumstances which compelled Moreau to write the letter of the 17th Fructidor, so useless to the state, blamed Moreau for what he then did. Public men may take a lesson from the strange situation of Moreau, who was at first blamed for having denounced Pichegru, and is now accused of not having done it sufficiently soon.

As to the rest, let us terminate the tiresome discussion of this part of the accusation, by repeating what Moreau himself, with reason and greatness of mind, when tired with the debates on that subject, said, —“ It is possible,” said he, “ that I was in
 “ some degree blameable towards the Direc-
 “ tory; but I think I have made ample
 “ amends by gaining since thirty battles,
 “ and saving two great armies.”

But this is too much on that point: let us proceed.

SECOND COUNT.

*Reconciliation and culpable Connection with
Pichegru in England, by means of David
and Lajolais.*

David, the friend of Pichegru, and connected with Moreau, had formed the plan to bring them together. That thought was David's alone : he has confessed it ; and nothing done by Moreau had led him to that attempt.

The first inclination of Moreau was to refuse reconciliation. The trials prove that.

The Abbé David concealed from Pichegru the reluctance of Moreau, expressed on his first proposal, and so obtained the consent of Pichegru.

The Abbé David again saw Moreau, and insensibly got the better of his reluctance to the reconciliation.

Generals Moreau and Pichegru thought they had respectively some reproaches to make each other relative to their military life ; and by means of David, who wrote to each of them, and without any letters passing between themselves, an explanation took place, and they finished by being reconciled.

Things being in that state, nothing was more natural and plain than the letter written by David to Moreau in Messidor, the year 10, in which he says, “ That he would
 “ not justify himself concerning the denun-
 “ ciation ; that if any blame could be laid
 “ to his charge, it was Government, and not
 “ General Pichegru, whom he thought im-
 “ plicated by the papers found, and whom
 “ he wanted to save.”

That he had regretted much that the course Pichegru followed the last three campaigns had confirmed his former doubts.

That as to the rest, the situation of Piche-

gru gave him pain ; and that if he knew how to assist him he would ; and that if he were to learn from authority that he was the chief obstacle to his return to France, he would soon remove that.

It is to be remarked, that notwithstanding the obliging style of this letter, Moreau never altered his opinion of Pichegru's conduct, which he continued to consider as a blemish in his character.

The letter itself appeared so harmless to David, that he shewed it to such of the constituted authorities and distinguished generals, as still preserved any regard for Pichegru.

As to Moreau, he could not for a moment consider himself as blameable for the reconciliation.

General Moreau is not a man to preserve eternal resentment ; his mind is mild and generous. Revenge is not in his nature ; but he would not have of himself made the first advances ; but when his friendship was

desired and asked, his heart, by a natural impulse, led him to consent.

Moreau could not be blamed for wishing to see Pichegru being permitted to return, when, in every public place in Paris, he met officers of the Prince of Condé's army, which a year before he had been meeting in the field of battle.

Neither could he consider himself wrong when other general officers had promised to make interest for Pichegru's return, and one had even gone directly to the First Consul to obtain his consent.

General Moreau could not consider his denunciation, nor the conduct of Pichegru in the year 4, as any obstacle to his good will and wishes towards him.

The dangers which Pichegru had brought upon his country existed now no more ; they were long since over ; and Moreau, after he succeeded to Pichegru in the command, had taught the royal and imperial armies, that

they never more should set foot on the soil of France.

He had said sufficient to them, that he would only know them to conquer them.

When Moreau wrote to David, it was profound peace, and it appeared to him, that peace, friendly to liberal ideas and sentiments, allowed him to forget the faults committed in war.

All this reasoning was favoured by the circumstance that a council of war, established at the army to judge the accomplices of Pichegru, had acquitted them.

If, as the act of accusation says, these generals had become reconciled, in order to plot against the government of their country, the first seeds of this project would be found in the circumstances which preceded or accompanied their reconciliation, or in the letters which they wrote. But they discover nothing at all of the kind. The letters, far from containing any idea, do not

even contain a word from which it could be inferred that Moreau disliked the government, or criticised its operations.

But the Abbé David was going off to England, to carry over the thoughts of Moreau to Pichegru, who had sent him twelve louis d'ors to pay the expences of the journey!

It has transpired from the discussions that have taken place fifteen days ago, that Moreau did not see David till he was just going off; and that then he only wished him to give his compliments to Pichegru, but not a line was written on the occasion.

As for money, if Pichegru had really sent twelve louis to David, so small a sum could only be considered as a little aid to a necessitous friend.

The intermediate agent of a conspiracy, in which it is said that England was a party, and which was to overturn France, could scarcely be in want of twelve louis to

perform a journey which was to bring together the chiefs of the conspiracy.

General Moreau, possessed of an immense fortune, * would not have left his emissary in so necessitous a situation.

Besides, David has declared, that the letter of Pichegru, by which he should have received the twelve louis, was intercepted and that he had borrowed ten louis of General Donzelot for the expences of his journey, the principal intention of which was to induce Pichegru to return to France, besides the probability of procuring to David a settlement in England, in consequence of a proposition that had been made to him for the education of a young English nobleman, from whom he was to receive 250*l.* a year, and live in the family.

The journey of David was no secret ; he

* See the report of the grand Judge, 27 Pluviose, year 12.

told all the Generals of his acquaintance who knew Pichegru, and had got for that Ex-General a letter from a member of the senate.

When stopped at Calais, though he had a passport, neither writings or letters of any kind were found upon him, in which there was the least mention of General Moreau.

It has been said that General Moreau shewed friendship to David in the Temple.

Since when has it become a crime to take an interest in the misfortune of a person with whom one is connected? Since when do the chains that bind the prisoner command others to lose the feelings of humanity?

But, if David had been an agent of the conspiracy, what would Moreau have done after he was arrested?

He ought either to have sought to exculpate himself, and destroy suspicion, or to save himself from the punishment which

the crime that the Abbé David would most probably reveal, would bring upon him ; or to put the finishing stroke to the conspiracy before the government could discover the whole.

Well—nothing of all that happens—nothing is done—General Moreau does not seek access to any magistrate, to see if he is any way implicated in the papers found on David.

He remains quietly at home, without changing any of the usual habits of his life.

He writes to nobody, and David, that contriver of conspiracy, is not replaced by any one whoever.

It must be observed, that Lajolais, who is held out as the successor of David, did not come to General Moreau till nine months after, as has been proved on the trial, and that he came of his own accord, and at no request of Moreau.

Notwithstanding this, when the arrestation

of David took place, the peace was no way broken.

At that time the communication with England was open, and in two weeks a conspiracy might then have been planned in Paris, known in London, and ready for execution in this capital.

When all is silent, where can there be criminality ? It is impossible to convert silence into crime.

Will it be said, that the residence of Pichegru in London, and of Moreau in Paris, was a conspiracy ?

As for the Ex-General Lajolais, he did not see General Moreau till Prairial in the Year 11, when he brought a small open note from Pichegru, recommending him for some employment.

That small note was not brought from London by Lajolais. Pichegru had sent it over to him in France. This last circumstance deserves particular attention ; for, till

the trial, it seemed to be believed that Lajolais had made two journeys to London, and that it was at the return from the first of them, that he delivered the note to Moreau.

The trial has proved incontestibly that Lajolais was only once in London, and that in last December, which was seven months after he brought the note to General Moreau.

General Moreau postiled the memorial by which Lajolais requested a situation.

They spoke together of Pichegru, and General Moreau does not deny that he said to him, as he had to the Abbé David, that it would give him pleasure to see Pichegru returned to France.

If that sentiment was a crime, it originated in the goodness of Moreau's heart, and then it should find an excuse.

Lajolais, in his first interrogatories, said, that he had seen General Moreau thrice or

four times at that period ; that Moreau had expressed a desire to have an interview with Pichegru, and that Lajolais said, that he should go and ask for one.

That interview solicited, is considered as the indication of a conspiracy between General Moreau and Pichegru, whose visits to Paris have, they say, firmly established its reality.

It is not possible not to see the great improbability of that story.

At Paris does a person ask for an interview with a person residing in London ?

It is easy to conceive an interview demanded between two persons residing near together ; but an interview demanded by a person in Paris with one in London, and to take place in Paris, requires some explanation.

During the trial, Lajolais has given that explanation, and persisted three different times in his account of it.

Born in Alsace, and speaking French badly, he says, that the force of the expressions of our language is not familiar to him, and that when he spoke of an *interview*, he meant only to speak of the wish expressed by Moreau to see Pichegru in France, which agrees perfectly with what General Moreau himself says on that subject.

It is in vain to say, that there is a contradiction between that declaration made on the trial and what Lajolais said when confronted with General Moreau, when he persisted in his first declaration.

The declaration on the trial is not contradictory but explanatory ; for it explains what he meant by the word *interview*, and it has never been refused on a trial to give an explanation of what was said on the first interrogation.

The institution of a trial is founded on the necessity there is of comparing, verifying, and well understanding things, papers,

and persons, before sentence is pronounced, in order that the truth may be found out from the variance or coincidence of all the circumstances.

To prove that the explanation of Lajolais on the trial was true and sincere, it is only necessary to consider the glaring absurdity of the first declaration, to which it was impossible to attach any degree of credibility.

If an interview had been demanded by Moreau in Paris of Pichegru in England, by Lajolais, it must have been to begin or to carry on a conspiracy ; yet Lajolais, the bearer of so important a message, remains seven months at Paris, after having seen General Moreau, without procuring the said interview.

Lajolais remaining for a great part of that long space of time with his relations in the department of the Lower Rhine, is an unanswerable proof of the falsity of his first declaration.

Another circumstance, not less important, is, that we learn from the trial, that on the same day on which Lajolais is supposed to have received this mission from General Moreau, *he requested General Moreau to lend him some money, which request was refused by General Moreau.*

No doubt remains since the trial relative to this important part of the accusation.

Is it possible that General Moreau, at the very time he trusted Lajolais with his secret, and made him a party to his projects, should refuse him the loan of a few louis ?

The very business of the conspiracy required money ; and it is evident that the first thought of Moreau, after joining Lajolais in the conspiracy, must have been to unite purses where fate and fortune were united.

Even if the conspiracy could have gone forward without money, can it be believed, that Moreau would have risked a refusal

which might expose him to the greatest danger of discovering his machinations. Necessity has too great power over the passions of men, to risk the effect it may produce ; and an information against Moreau might have ruined him the very day after his refusal.

To every thinking being who knows the human heart, this refusal of money to Lajolais is a proof that there was no criminal connection between him and General Moreau.

To all those explanations, which render the matter very easy to be understood, let us add another circumstance, which will confirm the innocence of Moreau.

Victor Couchery, to whom it appears that Lajolais had said that General Moreau intended to write to Pichegru, went to know what measures had been taken with Lajolais, and if he really meant to write to Pichegru.

Victor Couchery, when confronted with

General Moreau, has declared that General Moreau replied : “ That he had seen Lajolais two or three times relative to his backing a petition ; that he had nothing he wished to be said, and that he would not write to a man who resided in a country at war with France.”

Couchery was the friend of Pichegru, which Moreau knew ; and if he had written to Pichegru by Lajolais, or if he wished to write, or had sent a verbal message, he would not have hesitated to say so to the brother of his confident, and the most intimate friend of Pichegru.

Lajolais went to ask postiles to his petition ; and it is because he went on no other business, that Moreau, without thinking of the matter, refused him the money he demanded.

The declaration of Couchery, besides proving that there was no confidential business between Moreau and Lajolais, confirms

also a thing proved on the trial, and that Moreau refused to correspond with Pichegru while he remained in an enemy's country; but that he wished him to go to some neutral territory, such as Germany, there to try to get his name erased from the list of emigrants.

If it is said that all connexion between Moreau and Lajolais bears a suspicious appearance, after the denouncing of the latter in the year 5; it is to be observed that Lajolais had been acquitted of the charge by a council of war, and that, when Lajolais, forgetting all animosity, came of himself to General Moreau, it did not correspond with Moreau's usual way of acting to treat him harshly: on the contrary, it is clear that it was a duty in him to try to repair the injury done to a man whom he had accused, and who had been found innocent.

THIRD COUNT.

Promises made by Moreau to reinstate the Princes. Promises attested by the Rumours current in London.

THE act of accusation states, that Rousillon had declared that Lajolais had said in London that Moreau, discontented with the government of the First Consul, would lend every aid to overturn it.

Bouvet said, that Lajolais had confirmed in London, all the expectations that were entertained with respect to Moreau ; that he had agreed to the plan laid by the princes, and had promised that Moreau should present the prince to the armies.

Rochelle declared that, in London, they counted on the aid of Moreau, but he did not say that Lajolais had spread the report.

In fine, Roger, if credit is to be given to

four soldiers who guarded him at the Temple, declared that he has heard it said that Moreau was one of the chiefs of the conspiracy.

Several other accused persons have been interrogated before and during the trial, but they have no hearsay evidence to give.

Thus, rumours of which the author is not pointed out, and spread in London, that Moreau was one of the chiefs of a royalist conspiracy, attested only by two witnesses, amongst the great number of those who had landed, and were on trial, Rochelle and Roger, together with the declaration of Bouvet and Rousillon, that Moreau was to favour the princes, and this founded only on the declaration of a third person, compose charges on this count of the accusation.

We need not observe that, on the trial, some of the declarations of the accused have varied and become less strong. Bouvet, in particular, has formally declared that he is now convinced that the royalists had been

deceived when they were promised the support of Moreau. He has even, with great energy, blamed the confidence that he had inconsiderately given to the hearsays with respect to Moreau.

We need not observe that, with respect to the pretended declaration of these guards at the Temple, relative to Roger, has been formally denied by him when confronted with them. One of the guards has totally retracted his evidence, and the others have stammered and explained. Gilbert, the guard who retracted, says, he does not know why the name of Moreau was mentioned, as he never heard Roger pronounce his name. Gilbert has repeated his retraction with emphasis not less than three times.

Is it likely that Roger, who, on all his examinations, denied all connexion with the plot, and every thing laid to his charge, should afterwards, without motive or ne-

and like an idiot, declare not only to one, but to two, three, and even four persons, that he is one of the chiefs; thus sacrificing his head for the silly pleasure of babbling to four persons to him unknown?

We shall not try to dive into the extraordinary motives of those guards for insinuating themselves into the confidence of their prisoner, whom they made speak to their liking, when their duty was to be silent and keep him safe: those motives might perhaps be found very sufficient for suspecting the whole of their evidence.

General Moreau has no occasion to contradict such a charge; but we will observe that, had the Attorney-general chosen, he might have found similar, and even better materials for his indictment. We know, and the official journal of France has given extracts of them, that both English and American papers have asserted that Moreau

had actually raised the standard of rebellion against the First Consul, and that he fought for the princes.

Let us state a fact in opposition to those silly gazettes, those rumours of unknown origin, those hearsays of Roger and Rochelle. It has been proved on the trial that Moreau, far from ever serving the princes, or even listening to a proposition made, for none ever has been made, spurned even at the most distant hints thrown out that he could assist in restoring the ancient order of things, even if the Consular Government should be overturned.

Those same royalists, who picked up such rumours in England, complain bitterly that, on their arrival in France, they find they had been deceived about Moreau, that he is far from being a royalist, and would not even hear the princes mentioned.

It is not yet time to examine how they at last found out the truth, nor the fables

that were mixed with it, in order to prevent that rage which might have broken out, and been attended with danger, when they found themselves so terribly deceived.

We shall content ourselves with saying, for the present, that Moreau lent them no assistance; that he never declared himself for the princes, nor ever had an idea of entering into a royal conspiracy.

But if all that is established as it is by the trials and interrogations, it is impossible not to draw the conclusion, that Moreau never received any proposition from the princes; that he had never written, nor caused to be written, any letter, nor sent any person to the princes, nor to Pichegru, nor to any other person who had their confidence and his, to make promises to them or their friends, or prepare the way for overturning the Consular Government. This conclusion is unavoidable—the opposite would be altogether absurd. It is impossible to conceive

that Moreau, who, even according to the complaints made against him by the royalist, rejected every offer that was made to him, could have played a game so cruel for them, and so dangerous for himself, as that of entering into the correspondencies and manœuvres of a vast and extensive plot, without advantage, or even without knowing to what end he was to attain.

“ But,” says Mr. Attorney General, “ this “ was rumoured in London !”

Ah ! the rumour was spread ! And how long is it since any people with common sense put their generals and defenders to death like traitors, because of rumours spread amongst their enemies ? Surely that device would be admirable, if, to get rid of statesmen or soldiers whom they fear, it were sufficient, in an indirect manner, to demand their heads by reports in gazettes and rumours amongst the people.

Ah ! the rumour was spread ! We could

even doubt that, for we have no proofs but the very suspicious declarations of some of the persons accused, who for one reason, of which we may conceive an hundred, might calculate on saving themselves by such testimony. We might deny it, we say, but we chuse rather to believe it. To believe that the English, afraid of invasion, try to create a disturbance in the interior of France : that some royalist chiefs, thinking it a good opportunity, encourage the idea, the wish to create agitation, and send numbers of partizans into France. It is necessary to give them hopes and confidence, and they seize upon and prostitute the great name of Moreau—a name famous all over Europe—a man universally esteemed. He had no place under government, and it was thought that some coolness towards him was evident. Interest and malevolence was indefatigable in augmenting what existed, and imagining what was wanting. A simple coolness was

represented as enmity, and the ridiculous and false plans of the royalists took the form of a little plausibility. A great general, whose name stood high, cannot prevent intriguers from making an improper use of it, but to render him responsible would be as atrocious as it would be absurd.

When we want to trace those fabricated rumours (made to deceive the subaltern instruments) to their source, we find it either in anonymous pamphlets or in the individual Lajolais, who denies it. Of the four accused persons, two know not whence they had the report, and two say they had it from Lajolais.

General Moreau, taking advantage of the denial of Lajolais, might suppose the others impostures; but General Moreau rather chuses to say what he really thinks.

From the conduct of Lajolais, it does not appear impossible that he may have imposed on Rousillon, and perhaps on others also.

The indigence of Lajolais may account for this explanation.

General Moreau is too deeply afflicted on his own account, having the disgrace of being accused, and the cruel necessity of being obliged to justify himself, to augment gratuitously the same disgrace and the same necessity Lajolais. But he knows that whatever his motives might be, Lajolais has not adhered to truth in other matters, and from the certainty of that, he is led to suppose that he had not done it in this.

But why has he been an impostor? What could have determined him to hold the language represented? To dream of a mission he never received, as he himself has acknowledged, and to make promises in the name of General Moreau (contrary to his own opinions), promises which he never had authority to make? We must again repeat, that in his indigence we find the answer.

Let us condescend to see who and what is this Lajolais. Connected formerly with Pichegru during his command, that general procured him, out of good-nature, the means of existing, and hopes of advancement. Having in the year 5, through indiscretion rather than any great fault, shared in the misfortunes of his friend, he was tried, and lay in prison two years, from whence he came out with an acquittal, but without a farthing. He at first lived by borrowing, and he confessed on his examination that he had more than 80,000 livres of debt. Reduced to the greatest distress, he learns from the Abbé David, that he had effected a reconciliation between Moreau and Pichegru, and he concluded that Moreau would be ready to grant to Pichegru the first trifling service that he might require. He procured for that purpose (one knows not how) a small note from the latter to Moreau, in which he begged him to procure some advancement

for the *poor General Lajolais*, ruined by his long imprisonment. He brought that letter to Gros-Bois, and spoke to General Moreau of their ancient friend, and of their explanation with each other; he received some trifling civilities, and General Moreau said that he would see Pichegru with pleasure allowed to return to France, but nothing more. Moreau lived quite retired, and would solicit nothing for Lajolais, and advised him to apply elsewhere. Two or three other visits to Paris begun and finished that renewal of acquaintance. The last time they met, Lajolais told Moreau that he was going to Alsace, his own country, and asked a loan of some money. Moreau, whom no connection rendered such a loan necessary, refused it, knowing it would be money lost. This is confirmed by the trial.—Lajolais went off to Alsace, Moreau heard nothing more of, and forgot him.

After, as we have found from Couchery,

he had gone to Alsace, where he remained through poverty, not having money to go farther, at the end of several months he found means to go over to England, at the time when all were eager to create uneasiness in France, in return for the threats of invasion. A royalist invasion was considered as a diversion likely to prove useful. Lajolais might probably seize this opportunity to procure himself bread. It is impossible for Moreau to know how far he went in deceiving Pichegru, and the credulous royalists, with regard to the situation of France; but from what has come out on the trial, and the language attributed to him, with some appearance of truth, by two of the accused, his conduct in Paris, and some evident untruths which he has told, which he at first maintained and then retracted, and after that explained with great embarrassment. Moreau thinks, from all these circumstances, that Lajolais, in order to procure himself

importance and bread, may have gone considerable lengths in promising support and assistance in France, which they have been greatly disappointed not to find ready to combat on their side. Thus has Moreau been implicated by a man on whom he had not bestowed a single thought.

Once more let us see the conclusion to be drawn from all these probabilities on one side and improbabilities on the other. If Lajolais held the language in London that is represented, and which all those who have landed in France have found false with respect to Moreau, he must have belied Moreau; and if he did so, it must have been for some motive: that motive could be no other than to have resources and bread. But, because it suited Lajolais to belie General Moreau at London, is the general to suffer, or be made answerable for his conduct?

One word more will finish this part of the accusation.

General Moreau denies with horror that he ever had any share in any project against the Government, or that he ever gave to Lajolais, or any other person, a mission to Pichegru, or to the princes, or to England.

Not one word written with his hand! Not one witness appears against him. Popular rumours, rash assertions, and a single man, can send no one to the scaffold. And to shew by one example to what a ridiculous point of extravagance these rumours have been carried, and how they merit contempt rather than the thunders of justice, names of persons the most respectable have been made free with, and even that of the Emperor has not been spared. And if two of the accused say that Moreau was engaged, two others of them, one Noel Ducorps, affirms that his brother told him that the re-establishment of the Bourbons was *with the consent of Bonaparte*—and another, Rochelle, says that Lajolais had told him that the

French armies were at the disposal of Moreau, and that every thing was prepared for the Bourbons mounting the throne. He declares that Lajolais added, *that Bonaparte himself was almost come into that idea.*

Now is there a man of common sense, who can hang the fate of an accused person on such popular tales, in which they neither spare names nor probabilities. This surely is more than enough on this accusation.

FOURTH COUNT.

Interview with Pichegru and other accused Persons. Propositions made and received.

IT was more than seven months that Moreau had heard nothing of Lajolais, when, toward the end of last winter, that general came to see him, when Moreau, greatly to his surprise, learnt that Pichegru was in Paris. Lajolais then pressed him to give

Pichegru a meeting, to confer with him on the means of getting leave to return to France; Moreau *refused*, and observed, that Pichegru, being here without leave of Government, might be arrested, and that he, Moreau, did not chuse to run the risk of seeing him arrested, perhaps, during their interview, and thereby expose himself to all the silly inferences that might be drawn from it : inferences from which he had sufficiently suffered on account of his letter of the 17th Fructidor of the year 5, then so imperfectly understood by the public mind. Lajolais returned to the charge, and proposed several places, insisting much on the desire of Pichegru to speak with him ; Moreau persisted on his side, and absolutely refused.

He thought then to have heard no more of it ; when one day, at the end of Pluviose, last year, about eight at night, when Lajolais and two other persons were announced, he mounted into the saloon, where he found

Lajolais, Pichegru, and Couchery. Couchery was a friend of Lajolais, who had called some months previously to ask if he had any letters to send to Pichegru, to which Moreau had answered, that he had nothing, and that he would not write to him while he was in a foreign country at war with France.

Moreau was extremely vexed to see Pichegru, after what had passed in the year 5; he never could have been easy if he had been arrested in his house. They entered into a library adjoining the saloon, where they remained a few minutes.

Pichegru then spoke of nothing but his erasure from the list of emigrants, and his desire to live in France, and of the means of getting a passport to leave it. Moreau advised him in that case to quit England, and retire for some time into Germany. He also pressed Pichegru to go away. He added, that he would have seen him with pleasure,

if he could have been of use to him, but that not being the case, he wished not to see him any more. They remained together about fifteen minutes. On rejoining Lajolais, Moreau reproached him with having brought Pichegru, and desired, with regard to himself, that he hoped he would never return.

Nothing can be more free from guilt than that interview. As a proof that it was of no importance, it was too short for a first meeting, on any thing of consequence relative to a conspiracy. Besides, even according to the accusation itself, it is at the second meeting that the opening of the conspiracy is introduced.

Moreau would not again see either Pichegru or Lajolais; he had declared so formally to both. Lajolais, indeed, never came back : but a few days afterwards M. Roland, who in the years 4, 5, 8, and 9, had served under General Moreau, at the army of the Rhine, as inspector of transports, and who had been

in the habit of waiting on him occasionally to pay his respects, arrived one morning, and asked for a meeting with Pichegru, who lodged at his house. Moreau refused. When Roland said he had something very important to communicate. Moreau persisted in not seeing him, but, in order to soften a harsh message to an old friend in adversity, said that he would send his secretary to know what General Pichegru wanted.

He waited very patiently for an answer, when in the evening Pichegru arrived. Moreau was told that one wanted him. He went into his closet, and to his great surprise found Pichegru. Moreau was very vexed; but Pichegru was there. Nothing indiscreet on his part had taken place at the last interview, and it would have been ridiculous and unbecoming to make a disturbance by turning him to the door.

The conversation began. Pichegru at first spoke of his personal embarrassments, of

passports, and of returning to France. After some vague observations, Pichegru turned the conversation upon politics. That was not extraordinary between two men who had acted so great a part. Pichegru spoke of the invasion of England, the dangers attending the absence of the First Consul from Paris for public tranquillity, and the consequences of a miscarriage. It was then that Pichegru alluded to the changes that had taken place in public opinion, on the abstract ideas of republican government. He spoke of the Bourbons, of their misfortunes, and of their rights, without opening any plan or settled project, speaking by hypothesis—*if* the descent on England should prove unfortunate, *if* in consequence of that misfortune parties rose up again to tear their country afresh—he tried to sound Moreau on that subject, and his dispositions towards that family. It was then, *for the first time*, that Moreau came at the knowledge, not of a conspiracy, but

the slight insinuations of *an opening* for one. As to Moreau, he repulsed all those insinuations, drily, laconically, and decidedly. He spoke to Pichegru of such things as being incompatible with the new ideas of the nation, and in themselves ridiculous. It was then that he conducted himself the best of any time in all the business. Pichegru became taciturn, and the meeting was finished with a request on the part of Moreau, for him never to return, which Pichegru promised. Moreau and he separated very coolly, Pichegru with an air of discontent.

The discontent of Pichegru is a thing well ascertained, since Roland, who cannot be suspected of affection for General Moreau, says, that in returning to Moreau, he did not agree with him. Lajolais and Couchery say, that he looked much discontented, and the words they attribute to him are an unequivocal proof that he was so.

However that may be, he never again re-

turned to Moreau—Lajolais had also been forbidden, so that every connection between Moreau and Pichegru was at an end, except that Roland had not yet been forbidden to return.

Roland returned next day, and made the conversation turn on the same subjects with those on which Pichegru had spoke. Moreau, in a conversation with a man whom he had known for fix or eight years, traced the ideas of Pichegru ; but the whole, as he himself allows, was treated by Moreau as ridiculous folly. He then asked Moreau, in case of new troubles, if he had never thought of seizing some authority, which appeared to Moreau to be ridiculous ; that he answered with a smile of contempt :
 “ That if there were troubles, the Senate
 “ would be there ; as to himself, he was not
 “ a madman ; that before a private individual like himself, retired from military
 “ affairs and men in power, could turn in

“ his mind any project of ambition ; the
 “ whole government must be overturned,
 “ and that the Consul, his family, and all
 “ those now in power, must be destroyed ;
 “ and that if ever he had wished for power,
 “ it would have been when he was at the
 “ head of armies.” There he finished, and
 Roland, rather abruptly conducted to the
 door, went away.

General Moreau attests this to be a true
 account of the entire history of all his con-
 nection, interviews, and discourses with
 Pichegru and Roland, of which nobody ac-
 cuses him, and nobody was witness. Not a
 line, not a word from Moreau gave a single
 idea. Pichegru is no more, and Pichegru
 never uttered a word to contradict the as-
 sertions of Moreau. It would seem then
 unjust, on every principle, to impute other
 words or actions to the accused, than those
 which he has avowed on this occasion.

How could the act of accusation crimi-

nate Moreau in these conversations? What charges has it produced? They are as follow:

According to that act of accusation, there was another interview between Moreau and Pichegru, at nine in the evening, on the Boulevard of La Madeleine. Lajolais swears to it in one of his examinations. Victor Couchery said that he knew of it; but, when examined farther, he said it was Lajolais that told him of it. Bouvet de Lozier, in a very extraordinary declaration which he signed, a few moments after he had been rescued from an attempt to self-murder, says that he went on a day, named by Lajolais, with Pichegru and others to the Boulevard; that Lajolais came and fetched Pichegru from the coach, and carried him to meet Moreau in the Champs Elysées, with whom he had a conference, from the result of which it appeared that Moreau opposed the royalists.

According to the act of accusation, Ar-

mand Polignac knew, by hearsay, that there was a conference between Moreau, Pichegru, and Georges, at Chaillot.

According to that act, Picot has declared, that one day Pichegru waited for some one at the water-side, at the Champs Elysées, but the person never came; that it was Moreau he waited for, but that could not have happened if Moreau had not promised to come.

According to the act of accusation, Lajo-lais said that Moreau had himself appointed the first meeting with Pichegru.

By the same act, on the testimony of Roland, Moreau also appointed the second meeting.

By that act also, on the testimony of Roland, Moreau, in his conversation with him, refused to join any royalist party; but if they would dispose of the Consul and Governor of Paris, that then he would see what was to be done, having a strong party in the Senate,

which would help him to get power, after which they would see what was best to be done.

It is a necessary, but a deplorable task to answer such charges ; it, however, is not difficult.

Moreau, in the first place, declares he saw Pichegru twice ; and as to whether any other meetings were proposed, at which Moreau did not attend, there can be nothing of less importance.

There could be no crime in promising to go to the Champs Elysées, or Chaillot, to a meeting which he did not attend.

Neither was there any crime to have seen Pichegru on the Boulevard, as he had seen him in his own house ; neither was there any crime in sending his secretary.

If Moreau, in place of wishing to speak the truth, consulted his own interest, he would let those assertions go unanswered.

A variety of contradictory and improbable circumstances would give the lie to the whole.

If we credit Lajolais, who demanded the interview on the Boulevard, it was for a Wednesday, and Moreau put it off till the Friday, on account of a hunting-party, which did not take place. What ! Moreau sends to England for Pichegru to conspire with him in Paris ; and when he arrives, for a party of pleasure, which does not take place, delays the great, the important, the long-sought interview ! This is incredible.

We must give credit to collections of hearsays, made by Bouvet or Victor Couchery. Bouvet says, he understood that, in that conference, Moreau had given hints of a formal refusal. Victor Couchery, on hearsay, believes that Georges came there, and that at his arrival Moreau departed, and that the meeting with Pichegru was cold and short. Moreau then did not at all act with Georges,

nor did he act cordially with Pichegru. The rumours of London were then not true. Moreau had nothing to do with the business.

The act of accusation itself allows, that Moreau did not meet Pichegru at Chaillot, but that he promised to meet him. All this, if it were true, only proves the extreme repugnance of Moreau to meet Pichegru.

Moreau then denies these facts, not in order to defend himself, but for the sake of truth ; and because, while he will deny nothing that he has done, he will not acknowledge what he never did.

He then denies having been on the Boulevard, and no one says they saw him there ; Georges did not see him. Bouvet did not see him. Villeneuve did not see him. Bouvet and Cuchery speak from hearsay ; and that hearsay appears to come from Lajolais. Lajolais had appeared to say in his written interrogatories, that Moreau was there ; but since,

on the trial, he has complained that his declaration was taken down wrong. He tergiverses, explains, extenuates. He evidently wished to do away his first evidence: he said he believed, he thought he saw him, he was not very certain—he was not very certain that he had made the appointment, he was not very certain that he had there seen Pichegru.

We shall soon see why he first spread the report, and afterwards wanted to do it away.

General Moreau denies having been at Chaillot, and the porters of the house where Pichegru lodged swore that they never saw him there; neither is there any circumstance to make it probable.

He denies having made any promise to go to the Champs Elysées, and no witness comes to prove that ever he did. The act of accusation is beautifully logical in this part. They waited there for somebody, and as they waited for somebody, they waited for Moreau, and as they waited for Moreau,

he must have promised to come ! It is not possible seriously to refute such reasoning, but it is cruel that the life of a man should be at stake.

These reports, however, were spread abroad, and credited. Why was this done ? It appears, that for a small pecuniary advantage, Lajolais was interested in giving the royalists hopes respecting Moreau : this was fabricated for the purpose.

Having sold his falsehoods in London for bread, he could not at once abandon his pursuit : he deceived Pichegru, first promised a meeting with Moreau, and to gain time, said there was a hunting party. Then a meeting is made, where Moreau never comes : at last Pichegru and Lajolais force themselves on Moreau in his own house.

This is the explanation of the conduct of Lajolais. When confronted with the illustrious man whom he had so grievously injured, perhaps without any bad intention, the agitations of his mind were visible to

all. Pressed between personal interest, which forbid him confessing that he was an impostor, and, on the other hand, truth, in a case where the life of Moreau was at stake, he says his declaration had been badly written down; that being a German, he had chosen his expressions improperly; confessed that it was possible he was mistaken, that Moreau had never given a meeting on the Boulevards, that he had never seen Pichegru there, nor had he ever given any mission to him in London. A tardy return this to truth indeed, but still it is some reparation made to the injuries done to Moreau, and some extenuation of his own crime.

Let us pass to the denials of Moreau.

He denies having promised the first meeting at his own house to Pichegru. Independent of the variations of Lajolais, the circumstance is very improbable. It is a custom at the great houses in this capital to have one day in the week to receive com-

pany. It was on that public day at Moreau's house, that Pichegru presented himself. Pichegru, whom for so many reasons, as an outlaw, and a conspirator, it was necessary to conceal. It is fortunate for Moreau that almost all the accusations against him are void of common sense.

Common sense will decide another point ; Roland says that Moreau was to send his secretary to Pichegru to fetch him to a conference. Moreau on the contrary says, that having refused a personal meeting, and to get rid of the importunities of Roland, he had said he would send his secretary to hear what Pichegru had to say. Of these versions, which is true ? Undoubtedly that which shocks common sense the least : that is, the account given by Moreau.

Even according to Roland's account, he had been with Moreau to ask a meeting. Moreau gives it. What then ? Pichegru knew where he lived ; he had been there.

What necessity for the intervention of the secretary ? In conspiracies agents are never multiplied uselessly ; and here he was quite useless ; but Roland must give some account, and in that which he gives, every thing is unlikely, in the account of Moreau every thing is probable and natural.

Roland is a deceiver : but let us pass to a more important point, to that monstrous accusation which made our hair stand on end, of which he is the author. By the accounts of Roland and Lajolais, both and all the conspirators, the royalists were deceived in their hopes in Moreau, but they say that it was only on account of personal ambition that Moreau would not second the royal cause. They make Pichegru say, on leaving Moreau at the second interview, “ I see well that that villain is also ambitious.”

Let us consider this a moment. As Moreau would not support the Bourbons nor royalists, it is evident he could not be their

accomplice, that he had not made propositions to them in London, sent for them, or promised them support.

All the intrigues by means of David are then imaginary, and the pretended mission of Lajolais to London and to the Princes an odious falsity. That all connection with Georges and his party are falsities of the blackest nature is equally certain.

In a word, whatever Moreau's crimes against the State may be, there is a palpable and monstrous absurdity in trying him for a royalist conspiracy.

Amongst the domestics of Moreau, most of whom have been arrested, not one has revealed a single circumstance to inculcate him. His papers are seized, but we do not find a single line to criminate him.

What then is this strange conspiracy without conspirators, without witnesses, without means, without proofs, without traces, and, above all, without accomplices?

Roland will answer this.

Roland says, that Pichegru, a royalist conspirator, not having been able to explain himself to Moreau, and finding even his hints rejected, had employed him to make the *great opening*. These are his words. It was then not made ; and Moreau as yet was no conspirator. Roland continues and says, that Moreau proposed that Pichegru should act another way, make the Consul and Governor of Paris disappear, and that as he had a strong party in the senate, he would obtain the dictatorship, and then they would do what public opinion should dictate.

Roland when confronted, and pressed by his conscience, preserved some part of his declaration, and rejected the rest. He did not say that the words *Consul and Governor of Paris disappear*, meant that they should be murdered ; but, that if they should disappear in a natural way, and that Moreau had

said to him when speaking of his claims for public authority, that before that could happen, it would be necessary that there should neither be Consuls nor any of the men at that time invested with public dignity. Let any one judge what faith is to be placed in a witness who varies in so important a recital. Where would be the safety of the best of citizens, if it depended on the first wretch who should thus explain a real or imaginary conversation ?

A conversation ! That idea alone makes one tremble. A conversation cannot, however violent against government, constitute treason. What ! They do not reproach Moreau with one single act of conspiracy. If his heart is not pure his conduct is. He has not taken one step, or seduced one accomplice ; not one has been produced. But, says Roland, he has spoken ill. Roland deserves credit. Roland may have heard ill, understood ill, remembered ill what was said

by Moreau. Are a few fugitive words, repeated by an incorrect hearer, and repeated after a treacherous memory, to bring a man to the block ! No, that is not possible under a just Government ; and that under which we live is just.

No ! Never shall we see under our Government a citizen punished for the crime of speaking, on the word of an informer.

But Roland, the informer, is already proved to have spoken falsely by the man he has accused, and the story he tells bears a strange species of probability.

According to him, the meaning is simply this : Moreau, who is no royalist, says to the partisans of the house of Bourbon, “ I
 “ will never serve the princes of that family.
 “ But let the royalists act—I shall not in-
 “ terfere—I shall wait for their success : let
 “ them murder the consul and the governor
 “ of Paris, and when they are masters, and
 “ shall have surmounted all obstacles, in

“ place of proclaiming the king, to whom
 “ they are devoted, and for whom alone they
 “ conspire, they shall call *me*. I will come
 “ forth to reap the fruits of their labour and
 “ their danger ; I will go to the senate, and
 “ have myself named dictator.”

A more absurd idea never entered the human brain, than to suppose that pure royalists would, at the risk of their lives, become the deserters of their king, to have the honour of being the soldiers of the dictator Moreau.

Roland sins even more against common sense than he does against the truth itself : he cannot be believed in any part of his declaration

The deceit is the more evident, that, according to him, Moreau had said that he had a great party in the Senate. Independent of the improbability of that, and the affront done to the most honourable body in the state, General Moreau asks why there

are no Senators brought to trial along with him?

It may be said, but what is the interest of Roland ?* Roland's interest may be two-fold.

At first he may have been only a vile informer, who had invented a false accusation for a high salary ; and this appears probable, when we consider, that whilst the others were thrown into the Temple, he alone, the tempter of Moreau, and, of consequence more guilty than him, has been placed in the Abbey, where he constantly enjoys his sleep, the company of his friends, and receives his letters. The others are kept rigorously in secret cells.

If, however, this is a mistake, and he was

* If the reader will look at the last page of additional observations, he will see this question much better, and indeed very completely answered. It would appear, that the additional observations did not come out till after the trial was altogether or at least in part over.—

Translator's Note.

a real conspirator, he may act thus to soften the severity of his punishment. Already an idea of clemency was held out to him on an examination. " If you declare nothing," said they to him, " you will be looked upon as " an *accomplice* ; if you do declare what " you know, you may be considered as a " *confident*." Was it necessary to say more to a base-minded man, to make him save himself by lies, where he had not truths to discover?

He cannot be believed, because he himself is on his trial. He cannot be believed, because he gives no proofs or circumstances to support his assertions. He cannot be believed, because probabilities give him the lie. He cannot be believed, because fugitive words are too liable to alteration for one to be certain that they were said absolutely in that particular sense and meaning.

The whole proofs of that conspiracy, attributed to Moreau, consist in the declara-

tion of a man who is himself accused. Moreau ought to be acquitted.

It remains to speak to the crime imputed to General Moreau for not lodging an information.

FIFTH COUNT.

General Moreau did not inform on the Conspirators.

TO denounce a crime, it is necessary for him who is to do that to be acquainted with it. He must know the end proposed, and means of execution.

He who denounces, without proof sufficient to bring the delinquent to punishment, is by the law a calumniator.

The denunciator is then to judge of the crime against which he is to give information.

If the guilt is not manifest, if the circumstances and persons are uncertain, the duty of a citizen does not require him to interfere.

There is question here of a great plot against the state. Such a plot can only be known when individuals unite, and communicate their views, designs, and means of action, tending towards one general purpose.

Moreau knew of no such conspiracy.

All that he saw was Pichegru and Roland.

As there was no witness to the conference with Pichegru, Moreau alone can know what passed.

He has established sufficiently that the first conference was of no importance.

The second consisted of questions and suppositions, from which it appeared that, in case of certain events, Pichegru wished to restore the Bourbon family; but when he found Moreau averse, he kept, as indeed he ought, his secret to himself.

Was he to tell his secret to a man who disapproved of his views, and would not act with him?

Moreau only knew of a wild idea of re-

storing the Bourbons, which he found completely ridiculous.

Roland himself, Roland confesses that, on the 17th, he did not impart to him any other.

There is no mention any where of a regulated plan communicated to Moreau.

If Moreau, knowing no more, and wishing to know no more, had denounced Pichegru, what would have been the consequence? Pichegru was either gone off, or to be found in Paris.

In the first case, producing no effect, it would have been blamed.

In the second, Pichegru denying all, and Moreau having no proofs, Moreau would have been left alone in the midst of his denunciation, and considered as a calumniator.

Were we indeed to suppose that Moreau knew of a real conspiracy, practicable and near, then indeed, if he had not given information, he would have failed in his duty to

his country. He might have been deemed indolent and careless, but could it be punished as a crime?—No.

In the penal code of 1st September, 1791, and of 3d Brumaire, year 4, amongst a very numerous series of crimes and punishments, this is not to be found.

The knowing of a crime, and not revealing it, is no where mentioned; yet these two laws contain the whole of our penal code. Since these laws were made, we know no crimes but such as are there mentioned. An action not mentioned there may be blameable, but not punishable.

It signifies nothing that an ancient law makes this a crime; if it is not so by the new one, it is no crime for us.

The penal code says so itself; and in fine there is neither crime nor punishment, unless contained in the penal code.

After that, it is useless to search in ancient laws for that which says, that he who con-

ceals a crime is equally guilty with him who commits it. We know there was such a law made by that suspicious monarch, Louis XI. in 1477.

We know that Cardinal Richelieu punished De Thou in virtue of this law: a process which, in recalling the execrated name of Labourdemont, recalls also the horrors of which he was guilty. But what signifies so ancient a law, which was never but once put in force, and which none of the successors of Louis XI. ever caused to be renewed?

Neither the famous ordinance of 1539, fabricated by the Chancellor Puget to ruin Admiral Chabot, nor the ordinances of Orleans and of Blois, nor any other ordinances known since 1477, contain such an article.

We should not have a legislative code adapted to every case, and forbidding every punishment it does not command, were it not for the danger of renewing a law of violence, which the silence of centuries has

condemned to eternal oblivion, which the execration of posterity has followed in its single example, and to prevent the work of vengeance and despotism from being renewed under the reign of liberty, and in the very temple of the laws.

In terminating this melancholy defence, let us be permitted to express a sentiment which has weighed heavy on our hearts while we have been composing it.

Moreau is accused of wishing to grasp supreme power, and of conspiring against the Emperor.

No ; we swear by honour and glory, Moreau is not guilty. No : Moreau could not wish again to involve us in the horrors of a new revolution. He who knows but too well what a devouring monster it is, since it tore away his father while the son was fighting its battles. No ; Moreau could not wish the ruin of a country, where his name is

surrounded with so much glory. A man so modest, so free from ambition, when he had the means of reigning: he that was so free from jealousy of rivals, of far inferior capacity to himself, which a weak government set over him; surely he could never envy that favoured genius, whom Providence has formed to be the regulator of a great empire, and to whom one may yield without shame, so honourable are still the places inferior to him.

Ah!—What! when all the kings of Europe court his alliance, when he has created kingdoms and distributed crowns, is it possible, for an instant, to suppose that a thought of rivalry can enter into the heart of a man, who, whatever his abstract opinions relative to forms of government may be, has been always, during twelve years, faithful and obedient to the government that the will of the nation chose to institute? He has been obedient to Joubert and Sherer,

and to the people of heroes. He cannot be ashamed to obey their chief.

BONNET,	} Pleading Council.
BELLART,	
PERIGNON,	

SUPPLEMENTARY OBSERVATIONS.

AMONGST a great number of means of throwing off all blame from General Moreau, several have been omitted. We wish to bring forward one or two that are important.

Already it has been observed how free he was from reproach in his connection with the Abbé David. The letter of the General to him is a clear justification of their connection. In ten lines we find a noble explanation of his conduct in the events which had preceded the 18th Fructidor of the year 5.

Moreau's opinion on the blame attached

to Pichegru for his conduct in remaining united with the enemies of France, contained these words: I regret much that the part he has taken these three last campaigns has confirmed that opinion," viz. that he was in the conspiracy of Fructidor.

Yet he nevertheless testified his wish to be useful to Pichegru, and to put no obstacle in the way of his return to France.

One must shut their eyes not to see in all this, instead of culpability and treason, love and attachment to his country, and generosity to an unfortunate friend.

We must add, that all this is better proved now that the Abbé David declares distinctly that he imparted his plan of a reconciliation between Moreau and Pichegru to a number of Generals, who had nothing to do with intrigues or plots of any sort, and that he only acted with their approbation. It is now proved, that the words, in a letter from Pichegru to David, "If you could bring me

“ a few words from the friend, you would
 “ give me much pleasure,” does not apply
 to Moreau, but to a senator, who has allowed
 this to be stated in his defence, and who in
 reality sent the few words which were found
 amongst David's papers when he was ar-
 rested.

Another and more important object re-
 lates to Roland, of whose atrocious villainy
 there are proofs in every line of the absurd
 and frightful speech which he puts in the
 mouth of General Moreau.

The improbability and falsity is palpable,
 but the speech that he gives to Moreau has
 so weighed upon his loyal and generous
 mind, that he requests that we explain still
 farther the circumstances which are only
 pointed out in his defence, in order entirely
 to destroy its credibility.

The question which brought on the an-
 swer of Roland, where we find the words

imputed to General Moreau, and the answer even of Roland, are necessary to be compared, in order to see how the one naturally produced the other, and how it was impossible for Roland not to seize the opportunity of saving his life, which he expected. Indeed it is probable he bargained to purchase that by an atrocious calumny.

To the first question, on the subject of the conference recounted by Pichegru to Roland, he answers, “ It is already some
 “ time since that conversation took place,
 “ and *I cannot be certain*, that that which
 “ was said to me then *has remained very faith-*
 “ *fully* (accurately) *on my memory*, and I am
 “ *liable to mistake.*”

Here comes an interrogation which occupies three pages, and in which they tell Roland that they know every thing that he has said or done, that the new of his conferences with Pichegru, and they tell him that

his apartment was so arranged, that, in spite of all his precautions, the secret was betrayed. The question finishes thus: “ Take
 “ good care that in preserving silence, you
 “ do not deprive justice of the knowledge
 “ of any fact that ought to be known. You
 “ will force us to think, that in *place of being*
 “ *the confidant you have been the accomplice of*
 “ the men whom justice pursues. I request
 “ you then to speak with greater frankness,
 “ and to tell me not only all that Pichegru
 “ has said to you, but all you have learnt
 “ from Moreau, with whom it will be proved
 “ you were the second day that Pichegru
 “ lodged with you: you were heard speak
 “ by the same means; and you said to
 “ Pichegru, *that Moreau had a strong party*
 “ *in the senate, that he (Moreau) was at the*
 “ *head of an insurrection against the First*
 “ *Consul and the Governor of Paris, and that*
 “ *there was question of the Bourbons.*

“ I therefore command you to give explanations on all the facts, and respecting the conferences to give us the whole truth.”

It was on that question that Roland, afraid before of making a mistake, and who doubted the faithfulness of his memory, finds his recollection, at once banishes all his foolish scruples, and goes on straight forward in the route pointed out to him. He acknowledges to have given wrong answers, but, under the expectation of never being more considered as an *accomplice*, but as a *confidant*, he asserts, that Moreau told him he had a strong party in the senate * * * * *; that he could obtain power, but for that purpose the Consul, &c. &c. must disappear.

Who is it that cannot see the analogy between the artful question and the answer—how little appearance of truth there is

here ? The answer is destitute of all probability.

Roland, who till then had said nothing, although nearly connected with Pichegru, who had lodged in his house, having much to fear, and taking the hint from the question, that he may in future be considered as an accomplice, unless he answers properly, and saves himself by a great calumny. The matter is easily understood ; for, independent of the quality of the prisoner, the answer stands unconnected, and its credibility would be entirely lost by the situation in which the man who answers is placed, who saw that he could purchase his life by a guilty evidence.

But let us go farther. Who was it that had revealed all this before Roland was interrogated ? It must either have been Roland himself or other witnesses.

If it was heard by other witnesses, wh~~e~~

were they not produced? If it was Roland, and that is very probable, who does not see him go grovelling to buy his life in promising information, which he had previously invented.

It would be superabundant to say any more on this subject. Roland is the only one who affirms the fact, and Moreau positively denies it.

Roland is an accused man, and according to every principle his declaration ought not to be taken, it can form no proof.

It is supposed that Moreau wished to get hold of power. His character, his manners, his retirement from the world, both the great world and the small, the total absence of any witness that was intimate with him, or that knew him, the improbability of his making such a proposition to the partisans of the Bourbons, all that makes the accusation totally improbable.

What just or impartial man will withstand such clear demonstrations?

BONNET, } Pleading
BELLART, } Counsel-
PERIGNON, } lors.

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